

REMARKS

I. Summary of Office Action

Claims 1 and 4-12 are now pending in the application.

The Examiner rejected claims 1, 4-6, 9, and 10 under 35 U.S.C. § 102(e) as being anticipated by Stanbach Jr. et al. U.S. Patent No. 6,449,657 (hereinafter “Stanbach”).

The Examiner rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Stanbach in view of Chen et al. U.S. Patent No. 6,857,024 (hereinafter “Chen”).

The Examiner rejected claims 8 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Stanbach in view of Gerace U.S. Patent No. 5,991,735 (hereinafter “Gerace”).

The Examiner rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Stanbach in view of Chen and in further view of Gerace.

II. The Rejection of Independent Claims 1 and 9 Under 35 U.S.C. § 102(e)

The Examiner rejected each of pending independent claims 1 and 9 under 35 U.S.C. § 102(e) as being unpatentable over Stanbach. The Examiner’s rejection of these claims under this section is respectfully traversed.

Applicants maintain the arguments set forth in the Reply to Office Action filed on May 16, 2006 (“previous Reply”), and submit that the Examiner’s Response to Arguments set forth on pages 7 and 8 of the Office Action still fails to provide support for the contention that Stanbach anticipates applicants’ claims 1 and 9. For clarity, however, applicants are providing additional argument herein regarding the distinctions between applicants’ claims 1 and 9 and Stanbach.

(i) **Stanbach Does Not Show or Suggest “An Advertisement Template That Includes A Plurality Of Media Segment Slots, Wherein Said Media Segment Slots Comprise Video Segment Slots and Audio Segment Slots”**

Applicants’ claim 1 requires “an advertisement template that includes a plurality of media segment slots, wherein said media segment slots comprise video segment slots and audio segment slots.” The media segments (e.g., audio, video, background, animation, graphics, voice, etc.) are selected and assembled to produce the final personalized advertisement for an intended audience. (*See, e.g.*, Applicants’ specification, page 6, lines 8-19.)

Stanbach does not show or suggest “an advertisement template” that includes video segment slots and audio segment slots. Rather, as cited by the Examiner, Stanbach has an “ads table [that] is preferably configured to store the advertisements that will be inserted into the appropriate medium.” That is, Stanbach uses demographic information to insert only completed advertisements into an e-mail message. These completed advertisements may have file types, such as “GIF, JPG, WAV, MOV, AVI, etc.” (*See Stanbach*, column 20, lines 51-60.) Nowhere does Stanbach show or suggest the use of video segment and audio segment slots in an advertisement template to construct a personalized advertisement.

Accordingly, applicants respectfully submit that Stanbach fails to show or suggest a system including, among other things, “an advertisement template that includes a plurality of media segment slots, wherein said media segment slots comprise video segment slots and audio segment slots.”

**(ii) Stanbach Does Not Show or Suggest
Constructing a Personalized Advertisement**

In addition, applicants’ claim 1 requires “constructing said personalized advertisement by inserting one or more video segments from said advertisement resource library into said video segment slots and by inserting one or more audio segments from said advertisement resource library into said audio segment slots, wherein said one or more video segments and said one or more audio segment are selected using said entity profile template.” Stanbach also does not show or suggest this element of applicants’ claimed invention.

As explained above, Stanbach does not show or suggest a message template that includes audio segment slots and video segment slots. In fact, the e-mail of Stanbach is not capable of including audio and video segment slots. Instead, as cited by the Examiner, Stanbach uses demographic information to sort through “keywords associated with a particular advertisement.” (*See Stanbach*, column 21, lines 5-21.) The ads table of the particular advertisement is “joined to the web source table by the ad ID fields in each table. The ad ID field preferably acts as the primary key for the ads table.” (*See Stanbach*, column 20, lines 27-50.) Using the ads table, the particular advertisement is inserted into an e-mail message.

Unlike applicants' independent claim 1, Stanbach makes no mention of constructing a personalized advertisement by inserting video and audio segments into video segment slots or audio segment slots. Stanbach also makes no mention of selecting video and audio segments from an advertisement resource library with the use of an entity profile template (e.g., information relating to the target entity or audience). On the contrary, Stanbach inserts only complete advertisements into the body of an e-mail message or attaches only complete advertisements to an e-mail message.

Accordingly, applicants respectfully submit that Stanbach also fails to show or suggest a system that "construct[s] said personalized advertisement by inserting one or more video segments from said advertisement resource library into said video segment slots and by inserting one or more audio segments from said advertisement resource library into said audio segment slots, wherein said one or more video segments and said one or more audio segment are selected using said entity profile template."

In view of the foregoing, applicants respectfully submit that independent claim 1 is allowable over Stanbach. Therefore, applicants respectfully request that the rejection of claim 1 be withdrawn by the Examiner.

Similarly, the remaining independent claim 9 is allowable for at least the same reasons. Therefore, applicants respectfully request that the rejection of independent claim 9 also be withdrawn by the Examiner.

III. The Rejection of Dependent Claims 4-8, 10, and 11 Under 35 U.S.C. §§ 102(e) and 103(a)

The Examiner rejected dependent claims 2-6 and 10 under 35 U.S.C. § 102(e) as being anticipated by Stanbach. The Examiner rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Stanbach in view of Chen. The Examiner rejected claims 8 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Stanbach in view of Gerace. Applicants respectfully traverse the Examiner's rejections.

Applicants respectfully submit that claims 2-8, 10, and 11, each of which depends from one of independent claims 1 and 9, are allowable for at least the same reasons that the independent claims are patentable as set forth above. Therefore, applicants respectfully request that the Examiner withdraw the rejections of claims 2-8, 10, and 11.

IV. The Rejection of Independent Claims 12 Under 35 U.S.C. § 103(a)

The Examiner rejected independent claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Stanbach in view of Chen in further view of Gerace. The Examiner's rejection of these claims under this section is respectfully traversed.

Applicants respectfully submit that the amendments made to independent claims 1 and 9 were also made to independent claim 12. Thus, independent claim 12 is allowable for at least the same reasons that independent claims 1 and 9 are patentable as set forth above in Section II.

In view of the foregoing reason, applicants respectfully submit that independent claim 12 is allowable over Stanbach in view of Chen in further view of Gerace. Accordingly, applicants respectfully request that the rejection of claim 12 under 35 U.S.C. § 103(a) be withdrawn.

V. Conclusion

The foregoing demonstrates that claims 1-54 are patentable. This application is therefore in condition for allowance. Reconsideration and prompt allowance are accordingly respectfully requested.

VI. Authorization


The Director is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to Deposit Account No. 08-0219.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Director is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 08-0219.

Respectfully submitted,

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